

Appl. No. 09/746,854
Amdt. dated February 1, 2006
Reply to Office Action of November 1, 2005

Docket No. 10407-476

REMARKS

1. Claims Rejections - 35 U.S.C. § 102(b) – Claims 1-4, 6-20, 22-27, 29-34

Claims 1-4, 6-20, 22-27, 29-34 are pending in the present application and were rejected in the Office Action dated November 1, 2005 under 35 U.S.C. § 102(b), as being anticipated by Nair *et al.* (USPN 6,675,226). Applicants respectfully traverse this rejection. However, in an effort to provide clarification only, independent claims 1, 12, 19, and 24 have been amended. For brevity, only the bases for the rejection of the independent claims are traversed in detail on the understanding that the dependent claims are also patentably distinct over the cited references as they depend directly from their respective independent claim. Nevertheless, the dependent claims include additional features that, in combination with those of their respective independent claim, provide further, separate, and independent bases for patentability.

The Examiner has stated that Nair *et al.* anticipates claims 1-4, 6-20, 22-27, and 29-34. However, Nair *et al.* does not teach or suggest the claimed element, as amended, of “a general purpose device controller employing asynchronous true real time peripheral device control, wherein the device controller interfaces between the peripheral devices and a non-true real time computer having a non-true real time operating system and a non-true real time-enabled circuit board.” Notably, the control system utilized by Nair *et al.* alters a standard desktop computer 12 by inserting a true real time circuit board 42 into the computer. See Fig. 2; Col. lines 16-17; and Col. 4, lines 57-58. Specifically, the Nair *et al.* invention, which is attached inside of a standard desktop computer 12, is a multi-network interface that includes its own processor 43 and memory 45, and attaches to the memory 38 and operating system 44 of the computer in order to transform the non-true real time computer into a true real time computer. See Fig. 2; and Col. 4, lines 57-63.

In stark contrast, the claimed invention does not alter, modify, or otherwise change a non-true real time computer into a true real time computer, but rather provides a general purpose device controller that employs true real time peripheral device control, and thus, enables an unaltered, non-true real time computer having a non-true real time operating system and a non-true real time-enabled circuit board to employ true real time peripheral device control over various peripheral devices. The ability to employ true real time control over various peripheral

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devices using an unaltered, non-true real time computer is an efficient, powerful, cost-reducing tool that is provided by the claimed invention.

Thus, Nair *et al.* does not teach or suggest “a general purpose device controller employing asynchronous true real time peripheral device control, wherein the device controller interfaces between the peripheral devices and a non-true real time computer having a non-true real time operating system and a non-true real time-enabled circuit board” as recited in the claimed invention. Accordingly, Applicants respectfully submit that the 35 U.S.C. § 102(b) rejection of claims 1-4, 6-20, 22-27, 29-34 as being unpatentable over Nair *et al.* has been overcome.

2. Claim Rejections – 35 U.S.C. § 103 - 5, 21 and 28

Claims 5, 21 and 28 are pending in the present application and were rejected in the Office Action dated November 1, 2005 under 35 U.S.C. § 103(a), as being unpatentable over Nair *et al.* (USPN 6,675,226) and further in view of Microsoft Computer Dictionary, page 543. Applicants respectfully traverse this rejection. However, in an effort to provide clarification only, independent claims 1, 19, and 24 have been amended. For brevity, only the bases for the rejection of the independent claims are traversed in detail on the understanding that the dependent claims are also patentably distinct over the cited references as they depend directly from their respective independent claim. Nevertheless, the dependent claims include additional features that, in combination with those of their respective independent claim, provide further, separate, and independent bases for patentability.

As described above, Nair *et al.* does not teach or suggest “a general purpose device controller employing asynchronous true real time peripheral device control, wherein the device controller interfaces between the peripheral devices and a non-true real time computer having a non-true real time operating system and a non-true real time-enabled circuit board” as recited in the claimed invention. The Microsoft Computer Dictionary reference does not resolve any of the Nair *et al.* deficiencies, and thus, claims 5, 21 and 28 are patentable for the same reasons stated above in Section 1. Accordingly, Applicants respectfully submit that the 35 U.S.C. § 103(a) rejection of claims 5, 21 and 28 as unpatentable over Nair *et al.* in view of the Microsoft Computer Dictionary has been overcome.

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CONCLUSION

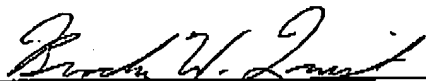
Applicants have made an earnest and *bona fide* effort to clarify the issues before the Examiner and to place this case in condition for allowance. Reconsideration and allowance of all of claims 1-34 is believed to be in order, and a timely Notice of Allowance to this effect is respectfully requested.

No fee is believed due with the submission of this paper. However, if the Applicants are mistaken, the Commissioner is hereby authorized to charge any required fees from Deposit Account No. 502811, Deposit Account Name BROWN RAYSMAN MILLSTEIN FELDER & STEINER.

Should the Examiner have any questions concerning the foregoing, the Examiner is invited to telephone the undersigned attorney at (310) 712-8319. The undersigned attorney can normally be reached Monday through Friday from about 9:30 AM to 6:30 PM Pacific Time.

Respectfully submitted,

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